

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BYRON SMITH,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:20-CV-271-WKW
)	
MCR PUBLISHING, INC.,)	
)	
Defendant.)	

ORDER

Pursuant to Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Ninety days have passed since the filing of the complaint on April 21, 2020, and the record does not establish that Defendant MCR Publishing, Inc., has been properly served. Accordingly, it is ORDERED that, on or before **September 18, 2020**, Plaintiff shall show cause why his action against Defendant should not be dismissed without prejudice pursuant to Rule 4(m).

DONE this 11th day of September, 2020.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE